

3739

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PATENT  
Attorney Docket No.: A-1-9

Commissioner for Patents,  
Alexandria, VA 22313-1450

On December 2, 2003  
By Michelle Nicely  
Michelle Nicely

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

PHILIP EGGERS, et al.

Application No.: 10/621,839

Filed: July 16, 2003

For: **METHODS FOR ELECTROSURGICAL  
TISSUE TREATMENT BETWEEN SPACED APART  
ELECTRODES**

Examiner: Lee Cohen

Art Unit: 3739

**INFORMATION DISCLOSURE  
STATEMENT UNDER  
37 CFR §1.97 and §1.98**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. A copy of each is enclosed.

It is respectfully requested that the cited information be considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue there from.

This IDS is being filed before the mailing date of the first Office Action on the merits. Accordingly, Applicants believe that no fee is necessary. Should a fee be deemed necessary for submission of this IDS, the Commissioner is authorized to charge the required fee to Deposit Account No. 50-0359.

Respectfully submitted,

Richard R. Batt

Richard R. Batt  
Reg. No. 43,485

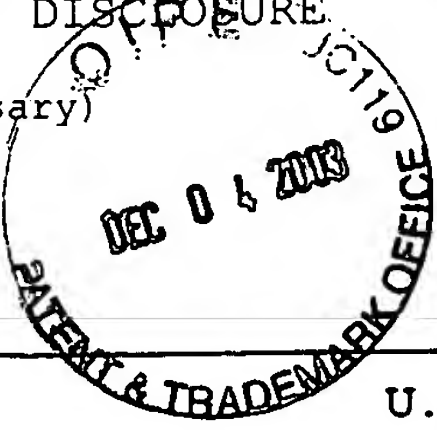
11/21/03

Date

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FORM PTO-1449 (Modified)		Attorney Docket No.		Application No.:		
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		<b>A-1-9</b>		<b>10/621,839</b>		
		Applicant: <b>Philip Eggers</b>				
		Filing Date: July 16, 2003		Group: <b>3739</b>		
Reference Designation		U.S. PATENT DOCUMENTS				
Examiner Initial	Document No.	Name	Class	Sub-class	Filing Date	
FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
___ AA	EP 0 694 290	11/15/00	Europe	A61B	18/04	
___ AB	92/21278	12/10/92	WIPO	A61B	5/04	
___ AC	94/08654	04/28/94	WIPO	A61M	37/00	
___ AD	97/00647	01/09/97	WIPO	A61B	17/39	
___ AE	97/00646	01/09/97	WIPO	A61B	17/39	
___ AP	EP 0 703 461	03/27/96	Europe	G01R	27/02	
___ AG	EP 0 754 437	01/22/97	Europe	A61B	17/39	
___ AH	97/48345	12/24/97	WIPO	A61B	17/39	
___ AT	98/27880	07/02/98	WIPO	A61B	17/39	
___ AJ	2 327 350	01/27/99	UK	A61B	17/39	
___ AK	2 327 351	01/27/99	UK	A61B	17/39	
___ AL	2 327 352	01/27/99	UK	A61B	17/39	
___ AM	3930451	03/21/91	Germany	A61B	17/39	
___ AN	57-57802	04/05/82	JP	A61B	1/00	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ AO	Pearce, John A. (1986) <i>Electrosurgery</i> , pgs. 17, 69-75, 87, John Wiley & Sons, New York.					
___ AP	J.W. Ramsey et al. <i>Urological Research</i> Vol. 13, pp. 99-102 (1985).					
___ AU	V.E. Elsasser et al. <i>Acta Medico Technica</i> Vol. 24, No. 4, pp. 129-134 (1976).					
___ AR	P.C. Nardella (1989) <i>SPIE</i> 1068:42-49 Radio Frequency Energy and Impedance Feedback					
___ AS	R. Tucker et al., Abstract P14-11, p. 248, "A Bipolar Electrosurgical Turp Loop"					
___ AT	R. Tucker et al. <i>J. of Urology</i> Vol. 141, pp. 662-665, (1989).					
___ AU	R. Tucker et al. <i>Urological Research</i> Vol. 18, pp. 291-294 (1990).					
___ AV	Kramolowsky et al. <i>J. of Urology</i> Vol. 143, pp. 275-277 (1990).					
EXAMINER		DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
___ AW	WO 95/34259	12/21/95	WIPO	A61F	5/48	
___ AX	WO 93/13816	07/22/93	WIPO	A61B	17/36	
___ AY	WO 90/07303	07/12/90	WIPO	A61B	17/39	
___ AZ	WO 94/04220	03/03/94	WIPO	yes	A61N	1/06
___ BA	0 740 926 A2	11/06/96	EP	A61B	17/39	
___ BB	96/00042	01/04/96	WIPO	A61B	17/39	
___ BG	97/24073	07/10/97	WIPO	A61B	17/39	
___ BD	97/24993	07/10/97	WIPO	A61B	17/39	
___ BE	97/24994	07/17/97	WIPO	A61B	17/39	
___ BF	97/48346	12/24/97	WIPO	A61B	17/39	
___ BG	98/07468	02/26/98	WIPO	A61N	1/40	
___ BH	2 308 979	07/16/97	GB	A61B	17/36	
___ BI	2 308 980	07/16/97	GB	A61B	17/36	
___ BJ	2 308 981	07/16/97	GB	A61B	17/36	
___ BK	57-117843	07/22/82	JP	A61B	17/39	
___ BL	99/51158	10/14/99	WIPO	A61B	17/39	
___ BM	99/51155	10/14/99	WIPO	A61B	17/36	
___ BN	98/27879	07/02/98	WIPO	A61B	17/36	
___ BK	WO 97/24074	07/16/97	WIPO	A61B	17/39	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ BP	Kramolowsky et al. <i>J. of Urology</i> Vol. 146, pp. 669-674 (1991).					
___ BQ	Slager et al. <i>Z. Kardiol.</i> 76:Suppl. 6, 67-71 (1987).					
___ BR	Slager et al. <i>JACC</i> 5(6):1382-6 (1985).					
___ BS	Olsen MD, Bipolar Laparoscopic Cholecstectomy Lecture (marked confidential), 10/07/91					
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Applicant: **Philip Eggers**

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Group: **3739**

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**U.S. PATENT DOCUMENTS**

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**FOREIGN PATENT DOCUMENTS**

	Document No.	Date	Country	Class	Sub-class	Translation (yes/no)
___ BT	90/03152	04/05/90	WIPO	A61B	17/39	
___ BU	2313949	01/07/77	France	A61N	3/02	
___ BV	93/20747	10/28/93	WIPO	A61B	5/00	

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

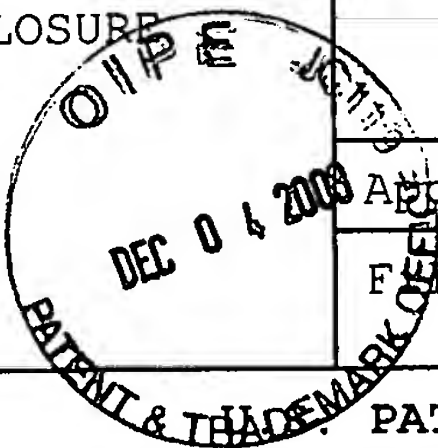
___ BW	Codman & Shurtleff, Inc. "The Malis Bipolar Electrosurgical System CMC-III Instruction Manual" 7/1991
___ BX	Valley Forge's New Products, CLINICA, 475, 5, 11/6/91
___ BY	Valley Forge Scientific Corp., "Summary of Safety and Effective Information from 510K," 1991
___ BZ	Codman & Shurtleff, Inc. "The Malis Bipolar Coagulating and Bipolar Cutting System CMC-II" brochure, early 1991
___ CA	L. Malis, "The Value of Irrigation During Bipolar Coagulation" See ARTC 21602, early 4/9/93
___ CB	L. Malis, "Excerpted from a seminar by Leonard I. Malis, M.D. at the 1995 American Association of Neurological Surgeons Meeting," 1995
___ CC	L. Malis, "Electrosurgery, Technical Note," J. Neursurg., Vol. 85, 970-975, 11/96
___ CD	Ian E. Shuman, "Bipolar Versus Monopolar Electrosurgery: Clinical Applications," Dentistry Today, Vol. 20, No. 12, 12/01
___ CE	Protell et al., "Computer-Assisted Electrocoagulation: Bipolar v. Monopolar in the Treatment of Experimental Canine Gastric Ulcer Bleeding," Gastroenterology Vol. 80, No. 3, pp. 451-455
___ CF	Cook and Webster, "Therapeutic Medical Devices: Application and Design," 1982
___ CG	Valleylab SSE2L Instruction Manual, 1/6/83
___ CH	Robert D. Tucker et al., "Demodulated Low Frequency Currents from Electrosurgical Procedures," Surgery, Gynecology and Obstetrics, 159:39-43, 1984
___ CI	Lu, et al., "Electrical Thermal Angioplasty: Catheter Design Features, In Vitro Tissue Ablation Studies and In Vitro Experimental Findings," Am J. Cardiol Vol. 60, pp. 1117-1122

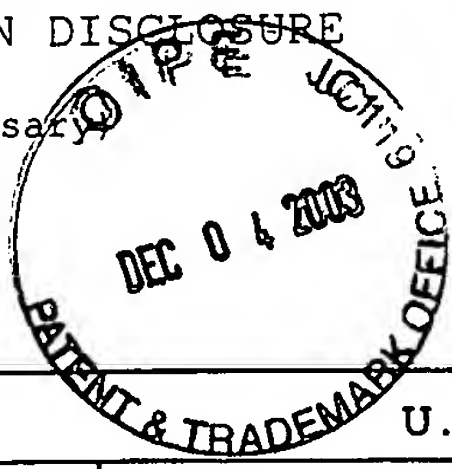
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
___ CJ	Selikowitz & LaCourse, "Electric Current and Voltage Recordings on the Myocardium During Electrosurgical Procedures in Canines," <i>Surgery, Gynecology &amp; Obstetrics</i> , Vol. 164, 219-224, March 1987					
___ CK	J. O'Malley, <i>Schaum's Outline of Theory and Problems of Basic Circuit Analysis</i> , McGraw-Hill, 2 <sup>nd</sup> Ed., 1992, pp. 3-5					
___ CL	Arnaud Wattiez et al., "Electrosurgery in Operative Endoscopy," <i>Electrosurgical Effects</i> , Blackwell Science, pp. 85-93, 1995					
___ CM	Leslie A. Geddes, "Medical Device Accidents: With Illustrative Cases" CRC Press, 1998					
___ CN	Wyeth, "Electrosurgical Unit" pp. 1181-1202					
___ CO	C.P. Swain, et al., <i>Gut</i> Vol. 25, pp. 1424-1431 (1984)					
___ C●	Piercey et al., <i>Gastroenterology</i> Vol. 74(3), pp. 527-534 (1978)					
___ CQ	A.K. Dobbie <i>Bio-Medical Engineering</i> Vol. 4, pp. 206-216 (1969)					
___ CR	B. Lee et al. <i>JACC</i> Vol. 13(5), pp. 1167-1175 (1989)					
___ C●	K. Barry et al. <i>American Heart Journal</i> Vol. 117, pp. 332-341 (1982)					
___ CT	W. Honig <i>IEEE</i> pp. 58-65 (1975)					
___ CU	Jacob Kline, <i>Handbook of Biomedical Engineering</i> , Academic Press Inc., N.Y., pp. 98-113, 1988					
___ CV	M.B. Dennis et al. "Evolution of Electrofulguration in Control of Bleeding of Experimental Gastric Ulcers," <i>Digestive Diseases and Sciences</i> , Vol. 24, No. 11, 845-848					
___ CW	Letter from Department of Health to Jerry Malis dated April 15, 1985					
___ CX	Letter from Jerry Malis to FDA dated July 25, 1985					
___ CY	Letter from Department of Health to Jerry Malis dated 04/22/91					
___ CZ	Leonard Malis, "Instrumentation for Microvascular Neurosurgery" <i>Cerebrovascular Surgery</i> , Vol 1, 245-260, 1985.					
___ DA	Valleylab, Inc. "Valleylab Part Number 945 100 102 A" <i>Surgistat Service Manual</i> , 7/88					
___ DB	Leonard I. Malis, "New Trends in Microsurgery and Applied Technology," <i>Advanced Technology in Neurosurgery</i> , 1-16, 1988					
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___ DG	0 923 907	6/23/99	EP			
___ DE	0 774 926	6/9/99	EP			
___ DF	0 650 701	5/3/95	EP			
___ DG	1 149 564	10/31/01	EP			
___ DH	2 379 878	3/26/03	GB			
___ DI	94/26228	11/24/94	WO			
___ DJ	03/024339	3/27/03	WO			
___ DK	95/05781	3/2/95	WO			
___ DL	96/34568	11/7/96	WO			
___ DM	95/05867	3/2/95	WO			
___ DN	95/30373	11/16/95	WO			
___ DO	96/07360	3/14/96	WO			
___ DP	97/41786	11/13/97	WO			
___ DQ	97/24992	7/17/97	WO			
___ DR	97/15238	5/1/97	WO			
___ DS	98/14131	4/9/98	WO			
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